

REMARKS

The Present Application is a divisional of U.S. Patent Application Serial No. 09/959,259, titled "D-galactose composition and process for its manufacture," filed on February 7, 2002, which is incorporated by reference herein.

Status of Claims

On entry of this Preliminary Amendment, Claims 1-34 will be cancelled without prejudice to further prosecution on the merits, and new Claims 35-54 will be added to present claims of varying scope. Accordingly, Claims 35-54 will be pending in this Application.

Title

The Title has been amended for clarity. 37 C.F.R. § 1.72.

Specification

The Specification has been amended for clarity and to identify related applications. No new matter has been added.

Claims

New Claims 35-54 have been added and are intended to recite subject matter that is patentable over the references cited in the Parent Application.

Support for new Claim 35 is found in the Specification as originally filed. See e.g. p. 7, lines 15-18

("The monosaccharides are preferably present as at least 60% of the total monosaccharide content derivable in theory from the oligosaccharides, more [preferably] in more than 70%. Naturally as high a yield as possible is preferred such as at least 80%.").

Support for new Claim 40 is found in the Specification as originally filed. See e.g. p. 8, lines 2-10 ("In Table 1, the percentage of said oligosaccharides, is calculated as dry weight of said oligosaccharides per total dry weight of the D-galactose source.")

No new matter has been added.

* * *

It is submitted that the Present Application is in a condition for allowance. On entry of this Preliminary Amendment, Claims 35-54 will be pending in the Present Application. The Applicants respectfully request allowance of all pending Claims 35-54.

The Examiner is invited to telephone the undersigned if such would advance the prosecution of the Application.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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